

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

v.

15-CR-143-V

JOSE RUBEN GIL,  
HERMAN E. AGUIRRE,  
TROY R. GILLON,  
DEMETRIUS YARBOROUGH,  
RASHAWN CRULE, and  
MICHAEL PAUL MITCHELL,

Defendants.

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**GOVERNMENT'S EXHIBIT LIST**

THE UNITED STATES OF AMERICA, by and through its attorney, James P. Kennedy, Jr., United States Attorney for the Western District of New York, Michael P. Felicetta and Meghan A. Tokash, Assistant United States Attorneys, of counsel, hereby serves on the Court and counsel its Exhibit List.

DATED: Buffalo, New York, October 4, 2018.

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United States Attorney

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**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK  
U.S. v. Jose Ruben Gil, et al.  
EXHIBIT LIST**

Case No.: 15-CR-143

☒ Government

Date: October 4, 2018

☐ Defendant

Ex. No.	DESCRIPTION	DATE	
		Marked for Identification	In Evidence
	<b>T3 WIRE INTERCEPTS</b>		
1	Application for order authorizing interception of wire communications for 716-579-0000		
2	Order authorizing interception of wire communications for 716-579-0000		
3	Application for order authorizing interception of wire communications for 716-266-7620 and 716-981-9339		
4	Order authorizing interception of wire communications for 716-266-7620 and 716-981-9339		
5	Application for order authorizing interception of wire communications for 716-478-5383		
6	Order authorizing interception of wire communications for 716-478-5383		
7	Audio recording of call from 716-981-9339 on 12/10/14 at 11:22:55		
7T	Transcript of audio recording of call from 716-981-9339 on 12/10/14 at 11:22:55		
8	Audio recording of call from 716-981-9339 on 12/10/14 at 20:55:51		
8T	Transcript of audio recording of call from 716-981-9339 on 12/10/14 at 20:55:51		
9	Audio recording of call from 716-981-9339 on 12/10/14 at 21:06:36		
9T	Transcript of audio recording of call from 716-981-9339 on 12/10/14 at 21:06:36		

10	Transcript of audio recording of call from 716-981-9339 on 12/10/14 at 21:24:14		
11	Audio recording of call from 716-981-9339 on 12/10/14 at 21:24:14		
12	Audio recording of call from 716-981-9339 on 12/11/14 at 16:20:54		
12T	Transcript of audio recording of call from 716-981-9339 on 12/11/14 at 16:20:54		
	<b>CONTROLLED BUYS</b>		
13	10.9 g of crack cocaine purchased from Michael Mitchell on 9/24/14 (DEA Exhibit No. 8)		
14	Laboratory analysis report for DEA Exhibit No. 8		
15	1 oz. Heroin purchased from Trent Hamilton on 10/30/14 (DEA Exhibit No. 10)		
16	Laboratory analysis report for 1 oz. Heroin		
17	100 g Heroin seized from Troy Gillon on 2/15/2015 (DEA Exhibit No. 11)		
18	Laboratory analysis report for 100 g Heroin		
19	1 g Fentanyl purchased from Joseph Thompson on 2/13/15 (DEA Exhibit No. 12)		
20	Laboratory analysis report for 1 g Fentanyl		
21	13 g Fentanyl purchase from Dion Cheatham on 3/05/15 (DEA Exhibit No. 13)		
22	Laboratory analysis report for 13 g Fentanyl		
23	34.4 g of heroin seized from 248 Elmwood Ave (Joseph Thompson) (DEA Exhibit No. 15)		
24	23.8 g of crack cocaine seized from 248 Elmwood Ave (Joseph Thompson) (DEA Exhibit No. 16)		
25	67 g of heroin seized from 248 Elmwood Ave (Joseph Thompson) (DEA Exhibit No. 17)		

26	94 g of opium/heroin/morphine seized from 248 Elmwood Ave (Joseph Thompson) (DEA Exhibit No. 18)		
27	27.2 g of crack cocaine seized from 248 Elmwood Ave (Joseph Thompson) (DEA Exhibit No. 19)		
28	23.5 g of heroin seized from 248 Elmwood Ave (Joseph Thompson) (DEA Exhibit No. 20)		
29	146.5 g of fentanyl seized from 248 Elmwood Ave (Joseph Thompson) (DEA Exhibit No. 21)		
30	Laboratory analysis report for DEA Exhibits 15-21		
31	Five (5) Photographs from Joseph Thompson search warrant (Grand Jury WW-AAA) (Bates 00011539, 11541, 11542, 11553, 11554)		
	<b>TROY GILLON SEIZURE</b>		
32	A bag containing 100 g of heroin seized from Troy Gillon on 2/14/15 at Niagara Falls Outlet Mall		
	<b>DEMETRIUS YARBOROUGH – 22 CARL ST October 9, 2013</b>		
33	Recorded call between PW8 and Yarborough on 10/07/13 (716-812-5084) (DEA Exhibit N-1)		
33T	Transcript of Recorded Call		
34	Recorded meeting between PW8 and Yarborough on 10/07/13 (DEA Exhibit N-2)		
34T	Transcript of Recorded meeting		
35	Recorded call between PW8 and Yarborough on 10/07/13 (716-812-5084) (DEA Exhibit N-3)		
35T	Transcript of Recorded Call		
36	Bag containing 8 grams of cocaine seized from PW9 (DEA Exhibit No. 1) (Lab No. 13-0****)		
37	Laboratory report (chemical analysis) for Lab No. 13-0****		
38	Application, Order, and Return for a Search Warrant for 22 Carl Street, Buffalo, NY, Lower Apartment		

39	Drug ledger, photos, and personal documents belonging to Yarborough seized from 22 Carl Street		
40	Bag containing Styrofoam plate with residue from 22 Carl Street (Lab No. 13-07197, Item No. 2)		
41	Bag containing kilogram wrappers from 22 Carl Street (Lab No. 13-07197, Item No. 3)		
42	Bag containing kilogram wrappers from 22 Carl Street (Lab No. 13-07197, Item No. 4)		
43	Bag containing kilogram wrappers from 22 Carl Street (Lab No. 13-07197, Item No. 5)		
44	Request for Laboratory Examination for Lab No. 13-07197		
45	Laboratory report no. 2 (chemical analysis) for Lab No. 13-07197		
46	Laboratory report nos. 1 & 3 (DNA analysis) for Lab No. 13-07197		
	<b>185 HIGH STREET</b>		
47	Video from pole camera 184 High Street		
48	Application and Order for a Search Warrant for 185 High Street, Apt. 2, Lockport, NY		
49	2 oz. heroin from 184 High Street (DEA Exhibit No. 9)		
50	Laboratory report for DEA Exhibit No. 9		
	<b>1154 LASALLE AVENUE</b>		
51	Video from pole camera 1154 LaSalle Avenue		
52	Application and Order for a Search Warrant for 1154 LaSalle Avenue, Upper Apartment, Niagara Falls, NY		
53	10.9 g. crack cocaine from 1154 LaSalle Avenue (DEA Exhibit No. 8)		

54	Laboratory analysis report for 10.9 g. crack cocaine		
55	Fentanyl from 1154 LaSalle Avenue (DEA Exhibit No. 22)		
56	Laboratory analysis report for Fentanyl		
	<b>587 EVERGREEN DRIVE</b>		
57	Application and Order for Search Warrant for 587 Evergreen Drive, Lockport, NY		
58	4.99 g Fentanyl from 587 Evergreen Drive on (DEA Exhibit No. 23)		
59	Laboratory analysis report for 4.99 g Fentanyl		
	<b>98 FOLGER STREET</b>		
60	Consent to search by Benjamin Matson for 98 Folger Street, Buffalo, NY		
61	Consent to search by Kristy Matson for 98 Folger Street, Buffalo, NY		
62	Consent to search by Shirley Grigsby for 98 Folger Street, Buffalo, NY		
63	24 kg Cocaine seized from 98 Folger Street (DEA Exhibit No. 24)		
64	Laboratory analysis report for 24 kg Cocaine		
65	8 kg Fentanyl seized from 98 Folger Street (DEA Exhibit No. 25)		
66	Laboratory analysis report for 8 kg Fentanyl		
67	Photographs from search of 98 Folger Street		
	<b>NEBRASKA TRAFFIC STOP</b>		
68	Nebraska State Patrol reports re: 6/21/14 traffic stop		
69	15 kg heroin from Nebraska traffic stop		
70	Laboratory analysis report for 15 kg heroin		
71	11 kg Cocaine from Nebraska traffic stop		

72	Laboratory analysis report for 11 kg cocaine		
	<b>DEA SEIZURE - APRIL 29, 2015</b>		
73	Montebello Police Department traffic stop		
74	27.34 kg. Cocaine from Montebello, CA		
	<b>OPERATION KING'S GOLD - CHICAGO</b>		
75	California Department of Motor Vehicles record for Herman Aguirre		
76	Phone 310-770-8471 toll records for 11/01/13 – 12/14/13		
77	Audio recording of call between CI and "Primo" at 18:37:39 on 11/11/13		
78	Audio recording of call between CI and "Primo" at 18:40:00 on 11/11/13		
79	Audio recording of call between CI and "Primo" at 16:31:44 on 11/12/13		
80	Audio recording of call between CI and "Primo" at 12:28:51 on 11/13/13		
81	Audio recording of call between CI and "Primo" at 12:32:39 on 11/13/13		
82	Audio recording of call between CI and "Primo" at 13:09:53 on 11/13/13		
83	Audio recording of call between CI and "Primo" at 13:18:43 on 11/13/13		
84	Audio recording of call between CI and "Primo" at 16:06:47 on 11/13/13		
85	Audio recording of call between CI and "Primo" at 16:25:16 on 11/13/13		
86	Audio recording of call between CI and "Primo" at 16:33:13 on 11/13/13		
87	Audio recording of call between CI and "Primo" at 16:40:49 on 11/13/13		

88	Audio recording of call between CI and "Primo" at 16:42:37 on 11/13/13		
89	Audio recording of call between CI and "Primo" at 16:44:06 on 11/13/13		
90	Audio recording of call between CI and "Primo" at 16:57:37 on 11/13/13		
91	Audio recording of call between CI and "Primo" at 18:19:27 on 11/13/13		
92	Four surveillance video recordings from 11/13/13		
93	Audio recording of CI and Herman Aguirre meeting on 11/13/13 at 4:58 p.m.		
93T	Transcript of audio recording of CI and Herman Aguirre meeting on 11/13/13 at 4:58 p.m		
94	Eight (8) photographs of seizure on 11/13/13		
95	HSI Report of Investigation re: 11/13/13 delivery of \$69,990 narcotics proceeds		
96	Northbrook Police Department K9 report re: drug sniff of packages on 11/13/13		
97	\$69,900 United States Currency from CI pickup on 11/13/13 in Northbrook, Illinois		
98	Best Western Milwaukee Airport Hotel records for Herman Aguirre 9/01/13 – 11/17/13		
99	Best Western Milwaukee Airport Hotel surveillance photo from 12/10/13		
100	Photograph Walgreens plastic bag		
101	Photograph Fish & Chicken bag		
102	Documents from trash pull at Best Western Milwaukee Airport Hotel on 12/14/13		
	<b>TROY GILLON</b>		
103 A-L	Twelve (12) photographs of hidden trap compartment located inside 2007 Toyota Sienna Van bearing VIN # 5TDZK23C67S061282, owned by Troy GILLON		



104 A-D	Four (4) videos of a hidden trap compartment, located inside a 2007 Toyota Sienna Van, bearing Vin # 5TDZK23C67S061282, owned by Troy GILLON.		
105	Niagara County Search warrant authorizing installation of GPS tracker		
106	GPS Tracker information #1 Troy Gillon: Chevy Malibu		
107	GPS Tracker information #2 Troy Gillon: Chevy Malibu		
108	GPS Tracker information Darryl Williams GMC Truck		
109	One Black ZTE Cellular Phone, Model #Z990GGPZEZ990GB, S/N #32582261362 with Sim card		
110	One Black LG Cellular flip phone FCC ID #ZNFLG440G, S/N #408CYGW28195 with Sim card		
111	One Black LG Cellular flip phone FCC ID #ZNGLD550G, S/N #407CYCV057347 with Sim card		
	<b>RASHAWN CRULE</b>		
112	Erie County Court Waiver of Indictment for Rashaun Crule S.C.I. No. 21079, File No. 02-0258		
113	Erie County Court Certificate of Conviction-Imprisonment for Rashaun Crule, 2002		
114	Erie County Court Sentence and Commitment for Rashawn Crule 10/28/02		
115	New York State Corrections and Community Supervision Executive Clemency records search for Rashaun Crule		
116	Audio recording of meeting with Charles Newkirk on 09/17/15		
116T	Transcript of Audio Recording on 09/17/15		

117	Bag containing 49.9 grams of heroin (DEA Exhibit No. 4) seized from controlled buy with Rashawn Crule on 10/02/15		
118	Laboratory analysis report for 49.9 grams of heroin (LIMS No. 2015-SFL2-06249)		
119	Audio and video recording of controlled buy with Rashawn Crule on 10/02/15		
119T	Transcript of the audio recording of controlled buy with Rashawn Crule on 10/02/15		
120	Photographs of text messages between Crule and Newkirk (862-955-8934)		
121	Bag containing 59.3 grams of heroin (DEA Exhibit No. 5) seized from controlled buy with Rashawn Crule on 10/15/15		
122	Laboratory analysis report for 59.3 grams of heroin (LIMS No. 2015-SFL2-06419)		
123	Audio and video recording of controlled buy with Rashawn Crule on 10/15/15		
123T	Transcript of the audio recording of controlled buy with Rashawn Crule on 10/15/15		
124	Photographs of text messages between Crule and Newkirk (862-955-8934)		
	<b>RASHAWN CRULE – 98 GILLETTE ON 11/02/15</b>		
125	Bag containing 129 grams of heroin (DEA Exhibit No. 7) seized from New York (GUA-9952) on 11/2/15		
126	Laboratory analysis report for 129 grams of heroin		
127	Bag containing 228.1 grams of heroin (DEA Exhibit No. 8) seized from 98 Gillette on 11/2/15		
128	Laboratory analysis report for 228.1 grams of heroin (LIMS No. 2015-SFL2-06755)		
129	Bag containing 131.2 grams of cocaine base (DEA Exhibit No. 9) seized from 98 Gillette on 11/2/15		

130	Laboratory analysis report for 131 grams of cocaine base (LIMS No. 2015-SFL2-06756)		
131	Bag containing 98.0 grams of fentanyl (DEA Exhibit No. 10) seized from 98 Gillette on 11/2/15		
132	Laboratory analysis report for 98.0 grams of fentanyl (LIMS No. 2015-SFL2-06757)		
133	Bag containing 11.3 grams of cocaine (DEA Exhibit No. 11.01) seized from 98 Gillette on 11/2/15		
134	Bag containing 185.8 grams of creatine (DEA Exhibit No. 11.02) seized from 98 Gillette on 11/2/15		
135	Laboratory analysis report for 11.3 grams of cocaine (LIMS No. 2015-SFL2-06758)		
136	Laboratory analysis report for 185.8 grams of creatine (LIMS No. 2015-SFL2-06758)		
137	"Weigh Max" digital scale (DEA Exhibit No. N-17)		
138	Box of black wax envelopes (DEA Exhibit No. N-18)		
139	Padlock and key (DEA Exhibit No. N-19)		
140	11 9mm rounds of ammunition (DEA Exhibit No. N-20)		
141	9mm magazine (DEA Exhibit No. N-21)		
142	KBI arms 9mm pistol (DEA Exhibit No. N-22)		
143	DNA swab of Crule (DEA Exhibit No. N-24)		
144	Photographs of 98 Gillette (DEA Exhibit No. N-25)		
145	Audio recording of meeting between Crule and Newkirk on 11/02/15 (DEA Exhibit No. N-28)		
146	Transcript of audio recording of meeting between Crule and Newkirk on 11/02/15 (DEA Exhibit No. N-29)		
	<b>RASHAWN CRULE – 22 HOMER ON 11/02/15</b>		
147	Utility bills for 22 Homer (DEA Exhibit No. N-23)		
148	Photographs of 22 Homer (DEA Exhibit No. N-26)		

149	Declination form executed by Crule (DEA Exhibit No. N-27)		
150	Download of GPS data from Crule's cell phone (DEA Exhibit No. N-32)		
151	Northeast parking lot surveillance photos, Transit Road office, 6/11/15 at 21:112		
152	Triton Foods, Inc. Brokerage Account check 1060 to Diva Fashions Inc. in the amount of \$133,000.00 dated 6/28/13 (Grand Jury AA)		
153	Triton Foods, Inc. Brokerage Account Bank of America checking account statement 7/01/13 (Grand Jury BB)		
154	Triton Foods Inc. Purchase Orders (Grand Jury DD)		
155	Triton Foods Inc. records (Grand Jury EE)		
156	Triton Foods General Ledger as of 12/31/2013, pages 278 – 430. (Grand Jury FF)		
157	Triton Foods General Ledger as of 12/31/2013, pages 803 – 863. (Grand Jury GG)		
158	Triton Foods General Ledger as of 12/31/2013, pages 100 – 247. (Grand Jury HH)		
159	Triton Foods General Ledger as of 12/31/2013, pages 457 – 508. (Grand Jury II)		
160	Triton Foods Sea Cucumber Purchase summary by SA David Turri 5/24/16 (Grand Jury JJ)		
161	Bank of America Certified Corporate Resolutions fir Fresh Choice Products, Inc. 4/23/14 (Grand Jury LL)		
162	K.I. Logistics invoices (Grand Jury MM)		
163	Fresh Choice Produce Invoices (Grand Jury NN)		
164	Fresh Choice Produce Bank Deposit Report for the period 1/1/14 to 12/31/14: checking account (Grand Jury OO)		

165	Fresh Choice Produce Invoice Register from the period 1/1/14 to 9/30/15(Grand Jury PP)		
166	Bank of America Business Signature Card for Kamora Investments Enterprises D/B/A KI Logistics (Grand Jury QQ)		
167	Grand Reserva invoices to K.I. Logistics (Grand Jury RR)		
168	K.I. Logistics invoices to Fresh Choice, Inc.(Grand Jury SS)		
169	Kamora Investment Enterprises, Inc. Summary of Invoices Purchases/Sales Master List (Grand Jury TT)		
170	Kamora Investment Enterprises Bank of America Account – Summary of checks cashed at Su Casa de Cambio (Grand Jury UU)		
171	Bank of America Business Signature Card for Pro Source Distribution Inc. (Grand Jury VV)		